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DOCKET NO. P21-164404M/ISI

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REMARKS

Claims 1-5, 8-9, 14-19, and 21-24 are all the claims presently pending in the application. Claims 17-18 are amended to more clearly define the invention, and claims 12-13 and 20 are canceled. Claims 1, 14, and 23-24 are independent.

These amendments are made only to more particularly point out the invention for the Examiner and not for narrowing the scope of the claims or for any reason related to a statutory requirement for patentability.

Applicants also note that, notwithstanding any claim amendments herein or later during prosecution, Applicants' intent is to encompass equivalents of all claim elements.

Entry of this §1.116 Amendment is proper. Since the Amendments above narrow the issues for appeal and since such features and their distinctions over the prior art of record were discussed earlier, such amendments do not raise a new issue requiring a further search and/or consideration by the Examiner. As such, entry of this Amendment is believed proper and Applicant earnestly solicits entry. No new matter has been added.

Claims 1-5, 8-9, and 12-24 stand rejected under 35 U.S.C. § 102(b) as being anticipated by the Bakker et al. reference.

This rejection is respectfully traversed in the following discussion.

I. THE CLAIMED INVENTION

An exemplary embodiment of the claimed invention, as recited by, for example, independent claim 1, is directed to a securing clip for securing a first panel member with a second panel member. The securing clip includes a first fitting portion having a U-character shape, and a second fitting portion having a U-character shape. The securing clip has an S-character shape in cross section. The second fitting portion includes a first engaging pawl on an inner wall face. The second fitting portion includes an engagement wall having an engagement face at an end of the engagement wall that faces an opening in the closed end of the U-character shape of the second fitting portion. A portion of the U-character shape second fitting portion, which is common to a portion of the U-character shape first fitting portion forming a middle of said S-character, includes a second engaging pawl opposing the first engaging pawl. The engagement face of the engagement wall is inclined outwardly away from the opening in the closed end of the U-character shape of the second fitting portion.

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Conventional securing clips are subject to the risk of a distortion about the hole in the fender protector which may result in the clip releasing from the hole in the fender protector (page 1, line 23 - page 2, line 7).

In stark contrast, the present invention provides an engagement face of an engagement wall that is inclined outwardly away from the opening in the closed end of the U-character shape of the second fitting portion. In this manner, when the engagement face engages a regulation wall of a fender protector, the inclination of the face causes a wedge effect which tightens the hold of the securing clip to the fender panel if a force attempts to separate the securing clip from the fender protector. (page 5, lines 3 - 7, and page 9, line 6 - 12).

II. THE 35 U.S.C. § 112, SECOND PARAGRAPH REJECTION

The Examiner alleges that claims 12-13, 17-18, and 20 are indefinite. While Applicants submit that such would be clear to one of ordinary skill in the art to allow them to know the metes and bounds of the invention, taking the present Application as a whole, to speed prosecution claims 17-18 have been amended in accordance with Examiner Kennedy's very helpful suggestions.

In view of the foregoing, the Examiner is respectfully requested to withdraw this rejection.

III. THE PRIOR ART REJECTION

The Examiner alleges that the Bakker et al. reference teaches the claimed invention. Applicants submit, however, that there are elements of the claimed invention which are neither taught nor suggested by the Bakker et al. reference.

The Bakker et al. reference does not teach or suggest the features of the claimed invention including an engagement face of an engagement wall that is inclined outwardly away from the opening in the closed end of the U-character shape of the second fitting portion. As explained above, these features are important for creating a wedge effect between the engagement face and a regulation wall of a fender protector which tightens the hold of the securing clip to the fender protector if a force attempts to separate the securing clip from the fender protector.

The Examiner alleges that the end face of the spring blade 32 of the Bakker et al. reference corresponds to the claimed engagement face. However, the end face of the spring

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blade 32 is inclined outwardly toward the closed end of the second fitting portion. The end face of the spring blade 32 does not incline outwardly away from the closed end of the second fitting portion, as claimed.

Indeed, since the end face of the spring blade 32 is inclined outwardly toward the closed end, a force attempting to separate the edge clip 10 from an electrical connector 36 would cause the spring blade 32 to slide outwardly along any engaging face and, therefore, tend to permit the spring blade 32 to separate from the electrical connector 36. In other words, since the end face of the spring blade 32 is inclined in the wrong direction, it is not possible to generate a wedge effect between that end face and another face on an electrical connector or fender protector.

In stark contrast, the present invention includes an engagement face of an engagement wall that is inclined outwardly away from an opening in the closed end. In this manner, when the engagement face engages a regulation wall of a fender protector, any force which tries to remove the securing clip from the fender protector will cause a great wedge effect which moves the engagement wall inward, not outwardly, as in the Bakker et al. reference. Thus, the securing clip tightens its grip on the fender protector.

Clearly, the Bakker et al. reference does not teach or suggest each and every element of the claimed invention. Therefore, the Examiner is respectfully requested to reconsider and withdraw this rejection.

IV. FORMAL MATTERS AND CONCLUSION

In view of the foregoing amendments and remarks, Applicants respectfully submit that claims 1-5, 8-9, 14-19, and 21-24, all the claims presently pending in the Application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the Application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

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The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,


Date: 10/10/06


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CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that I am filing this Amendment After-Final Rejection Under 37 CFR §1.116 by facsimile with the United States Patent and Trademark Office to Examiner Kennedy, Group Art Unit 3679 at fax number (571) 273-8300 this 10th day of October, 2006.


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